REPORT OF COMPLIANCE EVALUATION INSPECTION
(CONSTRUCTION STORM WATER)

AT
Glynn Village Plat 10
Waukee, Iowa 50263
Hubbell Metropolitan Development Fund I, LLC
6900 Westown Parkway
West Des Moines, Iowa 50266

Iowa General NPDES No. 2: IA-9433-9235

BY
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION VII
ENVIRONMENTAL SCIENCES AND TECHNOLOGY DIVISION
ENVIRONMENTAL FIELD COMPLIANCE BRANCH (EFCB)

ON
OCTOBER 12 AND 14, 2016

INTRODUCTION

At the request of the Water Enforcement Branch, Water, Wetlands and Pesticides Division, a Compliance Evaluation Inspection (Construction Storm water) was conducted at the Glynn Village Plat 10 construction site in Waukee, Iowa, on October 12, 2016. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended. It was conducted in accordance with EPA Region VII Standard Operating Procedures for Compliance Inspections (ENST SOP No. 2332). This narrative report presents the findings of the inspection. All other documentation not included as an attachment to this report has been submitted directly to the EPA files.

PARTICIPANTS

Glynn Village Plat 10 Construction Site

- Nick Newbury, Development Inspector, Hubbell Reality Company
- Andrew Hubbell, Development Operation Manager
- Larry Banwart, Safety Manager, McAninch Corporation
- Russ Hall, Underground Utilities Superintendent, McAninch Corporation

U.S. Environmental Protection Agency (EPA), Region VII- STC

- Naji J. Ahmad, Environmental Engineer, ENST/EFCB

PROCEDURES

I arrived at the Glynn Village construction site at 8:30 a.m. on October 12, 2016. I met with Mr. Hall. Mr. Hall informed me that Hubbell Realty Company is the owner of the site and that he will be contacting his supervisor informing him of my visit. Mr. Hall also informed me that Mr. Newbury with Hubbell Land Development is on his way to meet with me and escort me during my site inspection. Approximately 30 minutes after my arrival to the site I met with Mr. Banwart. I explained to him the purpose of my visit and what information I would be gathering during my site inspection. Later around 10:50 a.m., Messrs. Hubbell and Newbury arrived at the site. I introduced myself, presented my credentials, and explained the purpose and procedures of my inspection. These procedures included:

1. Completing the NPDES Construction Storm water Worksheet (Attachment 1);
2. An evaluation of the Storm Water Pollution Prevention Plan (Attachment 3);
3. An evaluation of site inspection and self-monitoring records (Attachment 3);
4. Completing the Stream Characteristics and Water Nexus Sheet (Attachment 5).
5. An evaluation of the site storm water best management Practices (BMPs) and a facility walk-through with photographs (Attachment 7).

After a brief discussion of the Iowa National Pollutant Discharge Elimination System (NPDES) General permit No. 2 requirements, I asked to review the site plans, the Storm Water Pollution Prevention Plan (SWPPP), and the site inspection records. Mr. Newbury was able to provide me with such records. However, he informed me that he will email me a scanned copy of all records. There were no records kept on site.

Messrs. Hubbell and Newbury then escorted me on a visual inspection of the site. During the inspection, I visually inspected the SE Westown Parkway project (DSCN1701-1756 and DSCN 1802-1826) and the single-family and multifamily development (DSCN1757-1795).

During my site visual inspection I observed storm water inlets and outlets, silt fence, culvert pipes, two sediment basins, the tributary to Sugar Creek, and eight discharge points. At the time of my inspection I observed surface water runoff from the site directly into the tributary at four of the discharge points. I also observed evidence of sediment leaving the site at five locations four of which reached the tributary and one where evidence of sediment leaving the site onto a grassy area at one discharge point.

At the end of the day I discussed my site observations with Mr. Newbury. I informed him that I would return on October 14, 2016, to conduct a formal exit meeting summarizing my site observations.

On October 14, 2016, I returned to the site. I met with Messrs. Hubbell and Newbury and I held a formal exit meeting. I discussed my preliminary site observations and findings. I issued a Notice of Potential Violation (NOPV) that included seven observations (Attachment 6). I

informed Messrs. Hubbell and Newbury that I would communicate any deficiencies that I may find during further review upon my return to the office.

I received several emails from Mr. Newbury that included the information I requested (Attachment 8).

FACILITY DESCRIPTION

Plat 10 (final phase) is part of a 250 acre development that started in 2005. According to Messrs. Hubbell and Newbury and my site observations, the ongoing construction at the site consisted of re-paving/re-elevating the SE Westown Parkway, building single-family and multifamily houses on various lots, grading for more housing development, installing of utilities, and installing a storm and sanitary sewer systems.

According the SWPPP document, the overall site itself is approximately 93.1 acres.

- Approximately 6.0 acres will be developed as townhouses.
- Approximately 7.6 acres will be used to modify the existing detention basin/pond.
- Approximately 29.8 acres will be developed for single-family houses.
- Approximately 3.7 acres will remain undisturbed as a riparian vegetative buffer located west of the unnamed tributary to Sugar Creek.
- The remainder of the property will be left as public streets and out lots for surface water flow.

DRAINAGE PATTERN

The unnamed tributary to Sugar Creek flows approximately half a mile north-south through the length of westerly part of the site. The unnamed tributary continues to flow south another one mile into Sugar Creek. In general, the flow from the site would predominately flow east-west toward the unnamed tributary.

Westown Parkway project

- Surface stormwater from the Westown Parkway project site east of the unnamed tributary would flow west downhill approximately one third of a mile into the unnamed tributary via the south ditch of the roadway.
- Surface stormwater is directed to flow toward at least seven stormwater inlets (#1 through #7) east of the tributary installed in the north side of the road and designed to discharge into the south ditch. Runoff in the south ditch would flow west toward the tributary.
- Surface runoff from the project site west of the tributary would flow east down the steep sloped hill through the wooded area and into the tributary.
- Surface stormwater is also directed to flow into inlets (#8 through #10) via underground storm sewer and culvert pipes toward the tributary.

Single-family and Multifamily houses subdivision

- Surface storm water runoff would naturally flow east-west into two basins/ponds.
- In addition to surface water runoff, storm water is directed via storm water inlets and underground pipes to discharge into the two basins/ponds.
- Overflow from the two basins/ponds is directed to discharge west into the unnamed tributary.

FINDINGS AND OBSERVATIONS

All my site observations noted during my site inspection on October 12, 2016, were communicated with Messrs. Hubbell and Newbury during the visual site inspection and during the formal exit meeting on October 14, 2016. All photographs were taken on October 12, 2016.

1. During the inspection weather conditions were rainy and cold, and the ground was wet and muddy.

2. At the time of my inspection, the site was active. Construction activities consisted of stockpiling, excavating and grading at the Westown Parkway portion of the project, and construction of single-family houses including foundation work, utilities work, and temporary seeding of single-family lots and out lots.

3. The entire development since 2005 is operating under the authority of the Iowa National Pollutant Discharge Elimination System General Permit No. 2 for storm water discharges associated with industrial activities for construction activities. Permit IA-9433-9235 was issued on May 31, 2005, and will expire on May 31, 2017.

4. According to the Iowa Department of Natural Resources (IDNR) website, site activities since 2005 included:

Date	IDNR Action	Type of Activity
05/27/2015	Memo to Record	Received an email requesting that the total size of project be increased to 250 Acres.
04/09/2014	Final Approval-Renewal	Auto-approved Renewal
04/09/2014	Received Fee (3-Year)	350.00 acct: 80302
03/26/2014	Sent Renewal Reminder	
04/21/2011	Received Fee (3-Year)	350.00 acct: 11977
03/30/2011	Sent Renewal Reminder	
04/24/2008	Received Fee (3-Year)	300.00 acct: 4273
03/26/2008	Sent Renewal Reminder	
05/31/2005	Received Permit Application	
05/31/2005	Granted Authorization	
05/31/2005	Issued Permit	
05/31/2005	Received Fee (3-Year)	300.00 acct: 6609

5. Mr. Newbury sent me via email a copy of the Storm water Pollution Prevention Plan, inspection records, site plans, and other records associated with the project.

6. The SWPPP document was signed by the owner and several contractors. The current SWPPP was signed on March 22, 2016. The SWPPP indicated that the project is a single-family and townhouse residential subdivision expansion consisting of approximately 143 single-family lots with associated utilities and roadways to be constructed in this final phase with approximately 60 townhouse units on four large lots. The SWPPP document does not specifically mention the SE Westown Parkway project. However, site plans do include a detailed site description of the SE Westown Parkway project. I contacted Mr. Newbury via email asking him if there is any documentation mentions the SE Westown work project. On October 20, 2016, I received an email from Mr. Newbury providing me with the last NOI dated May 20, 2016. The notice of intent describes the project as 93 acres of land to be disturbed for Single-family and Multifamily development and infrastructure.

7. The NPDES permit under Part IV. Condition B.1 requires that the SWPPP to be signed and retained at the construction site from the date construction activities begin to the date of final stabilization. In addition, Part V of the Iowa NPDES general permit No.2 reads, *"If there is a construction trailer, shed or other covered structure located on the property the permittee shall retain a copy of the storm water pollution prevention plan required by this permit at the construction site from the date of project initiation to the date of final stabilization. If there is no construction trailer, shed or other covered structure located on the property, the permittee shall retain a copy of the plan at a readily available alternative site approved by the Department and provide it for inspection upon request. If the plan is maintained at an off-site location such as a corporate office, it shall be provided for inspection no later than three hours after being requested."* During inspection the SWPPP was not on site. Mr. Newbury indicated that he keeps all records with him at the office. Therefore, Hubbell Metropolitan Development Fund I, LLC failed to comply with the requirements of the NPDES permit.

8. The SWPPP document appeared comprehensive, and weekly site inspection records appeared to be performed in a timely manner.

9. As mentioned above, I started my visual site inspection at the start (east) of the Westown Parkway project. I visually inspected ten storm water inlets on the north side of the newly graded road. Those inlets are piped to discharge into the south ditch of the road. All ten stormwater inlets (#1 through #10) and their associated outlets in the south ditch (seven on the east of the tributary (DSCN1702-1704, 1709-1710, 1714-1715) and three on the west (1722-1723, 1726)) had no sediment controls. I also visually inspected two of the circular stormwater inlets that are designed to discharge into the west sediment basin. These also had inadequate or no sediment controls (DSCN1713 and DSCN1755). Site photos DSCN1714 and 1715 below show an example the amount of sediment entering the inlets and leaving the outlets into the south ditch. It also show the lack of controls.

10. I observed a 4,000 gallon diesel fuel tank (without any containment) parked a few feet from one of the unprotected stormwater inlets (inlet #2 shown in attachment 2) as shown in DSCN1711 below. Therefore, I issued notice of potential violation number 4 (NOPV #4) because Hubbell Development failed to place the diesel fuel tank within a secondary containment (DSCN1706, 1708, and 1711).

DSCN 1714, Stromwater Inlet #4 with no controls.

DSCN1715, Outlet #4 of the stormwater inlet above discharging in the south ditch.

11. As mentioned above, runoff in the south ditch including discharge from stormwater inlets would flow into the unamend tributary to Sugar Creek. The flow in the south ditch would flow west beneath two access roads through culvert pipes until it reaches the unnamed tributary (DSCN1717-1731).

DSCN1711, diesel fuel tank few feet from an unprotected stormwater inlet #2.

12. Based on my visual observation of lack of sediment and erosion controls at the Westown Parkway road project, I issued NOPV #1 because Hubbell Development failed to install sediment and erosion controls around the stormwater inlets and in the south ditch as required by the SWPPP and the NPDES permit.

13. I visually inspected the unnamed tributary, especially at the discharge point from the south ditch (DSCN1730, DSCN1737). At that location, I observed evidence of a significant amount of sediment in the south ditch downhill toward the tributary as shown in DSCN1731.

DSCN1731, Sediment in the south ditch few yards upstream from tributary.

In addition, I observed significant accumulation of sediment on the east bank of the tributary and in the tributary as shown in DSCN1736 below.

DSCN1736, Sediment on the bank and in the tributary.

14. I also, at the same location, observed a 36 inch pipe that was discharging into the tributary. It appeared that this pipe conveys stormwater from the single-family housing project area just north of the roadway project. The pipe had sediment accumulated inside of it which indicates that it has been conveying sediment into the unnamed tributary. I pointed out the pipe and discharge to Messrs. Hubbell and Newbury. They could not specify the source of the pipe (DSCN1732, 1735).

15. I walked to the north side of the road to visually inspect the banks of the tributary before it flows beneath the road through the nine foot culvert pipe. There were no controls on either bank of the tributary to prevent sediment caused by the land disturbance activities from entering the tributary (DSCN1738-1740). I visually observed significant accumulation of sediment in the tributary as shown in DSCN1740 below. Therefore, based on my observation of the tributary south of the road project and north of side of the project, I issued NOPV#2 for sediment deposit and accumulated in the unnamed tributary.

16. I continued walking west through the site away from the tributary and I observed another stormwater outlet (#7 Attachment 2) that had evidence of recent discharge of light colored sediment (DSCN1742). I traced back the outlet pipe to one of two inlets that was recently covered by a metal plate. I continued walking west along the north ditch and I noticed the second storm water inlet (#9) at the bottom of the deep ditch surrounded by light colored sediment similar to that I observed at the mouth of the outlet described above. I also noticed that the collar has recently been installed on the top of stormwater inlet #9.

DSCN1740, Significant sediment in the tributary at the mouth of the culvert.

DSCN1742, Outlet 7 significant accumulation of sediment leaving the site.

Based on my review of the site plans upon my return to the office, I concluded that the source of the sediment was from a stormwater inlet (#9) in the north ditch of the roadway project (ST18-4, Page 68 of the site plans) as shown in DSCN1752 below.

DSCN1752, Stormwater inlet #9 with a recently installed collar.

17. I continued my visual observation of the area north stormwater inlet #9 and I noticed that the hillside north of the inlet was disturbed and reseeded (DSCN1751, 1753 and 1754). Mr. Newbury mentioned that this area (west of the pump station) was used as the "borrow" area to elevate the roadway (20 feet). I mentioned to Mr. Newbury that the top of the hillside is well seeded but the bottom area is not. I also pointed out to him evidence of ground erosion that lead to inlet #9 downhill as shown in DSCN1754 below. In addition, upon my return to office, I reviewed the site inspection records. Records indicate that the hillside was hydro seeded during the week of September 5, 2016. Records also indicate that on September 16, 2016, the hydro seed is growing well. Condition D.2.A(1) under Part IV of the Iowa NPDES general permit No. 2 reads, *"A description of temporary and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed areas are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Except as precluded by snow cover, stabilization measures shall be initiated on all disturbed areas as soon as practical but in no case where construction activity will not occur for a period of 21 or more calendar days later than the 14th day after no construction activity has occurred on such area. Where the initiation of stabilization measures by the 14th day after no construction activity occurs is precluded by snow cover, then stabilization measures shall be initiated as soon as practicable thereafter"*. According to inspection records, this section of the project exceeded the 21 days requirement. In addition, runoff from the bottom of the hillside area caused sediment deposit in the bottom of the ditch which entered stormwater inlet #9.

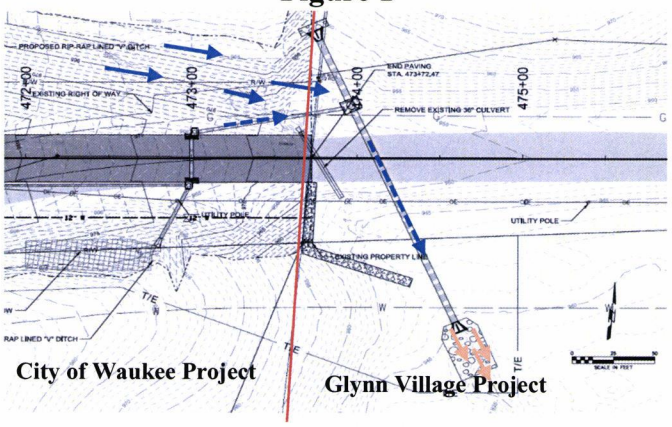
DSCN1754, Borrow area top of the hillside is stabilized but the bottom is eroded.

18. Approximately 30 yards along the south ditch of the roadway west of outlet #7 discussed above, I noticed that contractors dug a deep trench across the roadway to install a water line to the city's pump station north of the roadway. The trench had water in it (DSCN1745) that the contractor had to pump out (DSCN1746) in order to connect the line. The end of the hose was placed off site behind the south limits of the project (DSCN1747-1748). At the time of the inspection the pump was not running and I did not observe sediment at the end of the hose.

19. From this point until the west end of the project (200 yards) the road was elevated and created a steep slope hill to the south toward the tributary. There were no controls installed at the bottom of the steep slope to prevent sediment from leaving the site except for a few feet of silt fence near the location of the pump.

20. I continued walking west approximately 120 yards along the south side of the elevated roadway until I reached another outlet pipe (#10). This outlet has significant sediment accumulation on the ripraps as shown in DSCN1816. The flow to this outlet is mainly from its inlet located in the north ditch (#10). The majority of sediment in the ditch is mainly from the "borrow" area mentioned above and the disturbed north ditch as shown in

Figure 1



DSCN1821-1822. In addition there is sediment coming into inlet #10 from the adjacent City project as shown in Figure 1.

DSCN1821, Inlet #10 in the north ditch

DSCN1816, Outlet #10, significant sediment traveling downstream to the tributary.

21. I was able to track the sediment (DSCN1805-1808, 1810-812, and 1815-1816) to the tributary as shown in DSCN1808 below.

DSCN1808, sediment deposit in the tributary to Sugar Creek from outlet #10O.

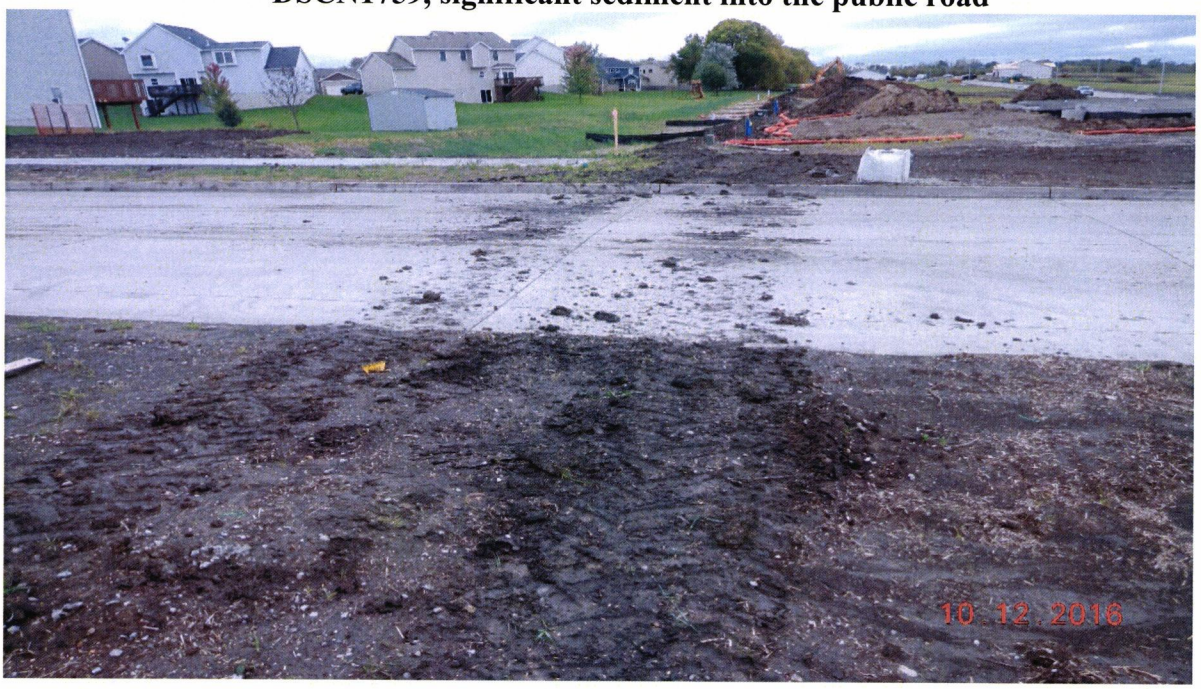
22. In addition to sediment flow from the north ditch through outlet #10, I observed evidence that sediment from the disturbed south ditch passed through at least five stages of silt fence ditch-dams and entered the tributary. Photos DSCN1805-1808, 1810-1812, and 1815-1816 show sediment accumulating in the sloped wooded area toward the stream. There was about six inches of sediment accumulating in this area (DSCN1817), evidence of sediment passing through the silt fence (DSCN1819), and sediment accumulating against the silt fence dams (DSCN1820). Based on my observations at this location I issued NOPV#3 because Hubble Development failed to install adequate sediment and erosion controls to prevent sediment from entering the water of the U.S. as explained above.

23. During my inspection of the single-family and multifamily housing development I pointed out to Mr. Newbury the significant amount of sediment being tracked out into the public roads within the development. According to Mr. Newbury, the track outs are from vehicular activities by individual lot developers (DSCN 1766-1767 &1774) and utility contractors (DSCN158 & 1759) as shown in DSCN1759 below. Mr. Newbury stated that each independent developer and contractor on site should have signed and certified the SWPPP, however, it is hard to keep-up with them.

24. Mr. Newbury mentioned that when he observes sediment on the roads, he notifies the contractors to sweep the roads at the end of the work day, and he notes it on his weekly site inspections. Site inspection reports indicate that Mr. Newbury noted such observations several times. However, reports indicated that streets were swept only few times. For example on April 29, 2016, Mr. Newbury noted track outs, and on May 6, 2016, streets were swept. Repeatedly, on December 4, 2015, he noted the same observation and the streets were

swept on December 11, 2015. However, reports indicate that since July 1, 2016, Mr. Newbury repeatedly noted that streets need to be swept due to sediment on the streets but no action was taken until September 10, 2016. On August 5, 2016, there is a note indicating that the track out on the south end of Warrior Lane will be swept, but the following week the same observation was made. Therefore, I issued NOPV#5 because of the significant amount of sediment being tracked into the roads in multiple locations.

DSCN1759, significant sediment into the public road



25. Mr. Newbury indicated that they installed silt fabric in all stormwater inlets within the subdivison. The fabric is called Fry-Flow bags and they are 18"x38" in size installed at the bottom of the metal grill of the inlet as shown in DSCN1755 below. Those bags are not adequate enough to prevent sediment from entering the stormwater inlet because they do not cover the entire inlet and because they were not maintained adequately. Most of them were full of sediment and one had vegetation growing in it which indicates lack of maintenance for an extended period of time. Therefore, I issued NOPV #6 because Hubble Development failed to adequately protect the stormwater inlets.

26. The site is designed to direct all surface runoff and stormwater conveyed through stormwater inlets and underground pipes to two sediment basins/ponds. The basins, according to Mr. Newbury, will be permanent stormwater ponds, once the site is developed. I visually inspected the two basins. The basins are referred to as the eastern basin (DSCN1789-1795) which is the larger one and the western basin (DSCN1784-1786). I started by inspecting the small basin and I pointed out to Mr. Newbury the amount of sediment accumulated in the basin as shown in DSCN1785 below. It appeared to me that the basin is not being maintained. I also pointed out to Mr. Newbury that the large sediment basin had significant amount of vegetation growing in it and the west section of its bank is eroded (DSCN1792), and appeared that it has not been maintained for an extended period of time just like the

small basin. Therefore I issued NOPV #7 because Hubble development failed to maintain the two basins.

DSCN1755, Stormwater inlet equipped Fry-Flow Bag

DSCN1785, the small basin with significant sediment accumulation

27. I only observed discharge from the large basin. The effluent of the basin at the discharge structure was murky but was clear and free of sediment at the outfall where it was discharging into the tributary.

28. I observed three locations where contractors were adequately handling concrete washout. Contractors were using different methods of collecting excess concrete on site. One of the methods was using fabric bags that come with concrete truck (DSCN1762), another was a cardboard box covered with plastic (DSCN1782), and the third was a hole in the ground covered with plastic (DSCN1768).

CONCLUSION

Overall, sediment and erosion controls at the majority of the SE Westown Parkway project did not exist and the very few controls that did exist were either inadequate or poorly maintained which resulted in sediment leaving the site and entering the unnamed tributary to Sugar Creek.

It appeared that poor sediment controls around the stormwater inlets at the SE Westown Parkway construction (such as DSCN1713 and 1755) and the poor controls around the street inlets and sediment track out at the subdivision contributed significantly to the sediment in the basins.

Naji J. Ahmad
Environmental Engineer
ENST/EFCB
October 23, 2016

Attachments:

1. NPDES Industrial-Construction Storm water Worksheet (10 pages)
2. Aerial Photo (1 large page)
3. SWPPP (CD1)
4. Site Plans (CD1)
5. Stream Nexus (CD1)
6. NOPV (1 page)
7. A facility walk-through with photographs and photo log (CD1)
8. Emails (18 pages)
9. Facility response to NOPV (CD1)

Photo Log:

The SE Westown Road improvement project of the Glynn Village Plat 10			
Photo #		**Dir.**	**Description**
DSCN	1701	West	At the start point of the SE Westown Parkway (RD) road improvement as part of the Glynn Village Plat 10 (Project)
DSCN	1702	West	Stormwater inlet on the north side of the RD at the start point of the Project. This SW inlet discharges to the SW in 1702

DSCN	1703	West	Stormwater inlet on the south side of the RD at the start point of the Project. This SW receives discharge from the SW in 1701 and it discharges into the south ditch of the RD as shown in 1703.
DSCN	1704	SW	Culvert pipe discharges into the south ditch of the RD. The Ditch has no controls allowing sediment to enter the Unnamed tributary to Sugar Creek.
DSCN	1705	West	Looking at the south RD ditch toward the unnamed tributary at the start point of the Project.
DSCN	1706	North	Diesel Fuel Tanker parked on the north side of the RD without containment. The Tanker was located a few feet from an unprotected SW inlet at the north side of the RD as shown in 1707.
DSCN	1707	NW	The unprotected SW inlet described in 1706 above.
DSCN	1708	NW	The fuel tanker and the SW inlet.
DSCN	1709	North	The unprotected SW inlet described in 1707 above.
DSCN	1710	South	The outlet of the unprotected SW inlet described in 1707 above. The outlet discharges into the south ditch
DSCN	1711	NE	The fuel tanker and the SW inlet.
DSCN	1712	NW	Another SW inlet on the north side of the RD.
DSCN	1713	North	This stormwater inlet, in the north ditch the road, is one of many stormwater inlets connected in series that are directed to discharge into the West Basin (smaller basin). Those inlets had deficient sediment controls which caused significant sediment to deposit in the West Basin as shown in 1785 below.
DSCN	1714	North	Another SW inlet on the north side of the RD.
DSCN	1715	South	The outlet of the unprotected SW inlet described in 1714 above. The outlet discharges into the south ditch.
DSCN	1716	West	Looking at the first culvert pipe beneath the New Pioneer Gun Club access road (31454 312 PL) from south RD ditch toward the unnamed tributary.
DSCN	1717	West	Sediment run-on in the south ditch caused by rain during the inspection. Looking at the first culvert pipe beneath the New Pioneer Gun Club access road (31454 312 PL) from south RD ditch toward the unnamed tributary.
DSCN	1718	East	Silt fence at the north side of the RD along the first access private road.
DSCN	1719	South	Outlet pipe of the Culvert pipe shown in 1717 that runs beneath the first access road.
DSCN	1720	West	Sediment continues to flow west toward the second culvert pipe and toward the unnamed tributary. Looking at the south RD ditch toward the unnamed tributary from the outlet of the culvert pipe described in 1719.
DSCN	1721	South	Looking at the inlet of the first culvert pipe beneath the New Pioneer Gun Club access road (31454 312 PL) from south RD ditch toward the unnamed tributary.
DSCN	1722	NW	Another SW inlet on the north side of the RD.
DSCN	1723	South	The outlet of the unprotected SW inlet described in 1722 above. The outlet discharges into the south ditch.
DSCN	1724	SW	Looking at the inlet of the second culvert pipe beneath private resident access road (3112 312 PL) in south RD ditch toward the unnamed tributary.

DSCN	1725	SW	Outlet pipe of the second culvert pipe shown in 1724 that runs beneath the private resident access road.
DSCN	1726	NW	Another un protected SW inlet with sediment in it on the north side of the RD just east of second culvert pipe
DSCN	1727	NW	The SW inlet in 1726.
DSCN	1728	South	The outlet of the unprotected SW inlet described in 1726 and 1727 above. The outlet discharges into the south ditch into the ripraps where the outlet of the second culvert pipe discharges.
DSCN	1729	SW	Standing at the rip-rap where the outlets of the second culvert pipe and the stormwater inlets discharge. NOTICE the amount of sediment in the south ditch leading to the unnamed tributary to Sugar Creek behind the rocks.
DSCN	1730	South	The end of the south ditch of the road at Unnamed Tributary to Sugar Creek. NOTICE the 36 inch pipe. Facility personnel could not specify where it is discharging from. It appear to be coming from the residential development north of the road construction site.
DSCN	1731	East	Looking back up the hill toward the Culvert pipe outlet from the east bank of the tributary.
DSCN	1732	West	The outlet of the 36 inch pipe described in 1730 above.
DSCN	1733	NW	The unnamed tributary to sugar Creek.
DSCN	1734	SW	Sediment in the unnamed tributary to sugar Creek.
DSCN	1735	West	The outlet of the 36 inch pipe described in 1730 above.
DSCN	1736	SW	Sediment in the unnamed tributary to sugar Creek. (NOPV#2)
DSCN	1737	SW	Sediment in the unnamed tributary to sugar Creek. (NOPV#2)
DSCN	1738	NE	Looking at the unprotected banks of the unnamed tributary from the north side of the road project before it enters the large culvert beneath the road.
DSCN	1739	NE	Looking at the unprotected banks of the unnamed tributary from the north side of the road project before it enters the large culvert beneath the road.
DSCN	1740	NE	Another look at the unprotected banks of the unnamed tributary from the north side of the road project before it enters the large culvert beneath the road. NOTICE the buried silt fence and the yellow wattle.
DSCN	1741	North	Another stormwater inlet with metal plate covers on the north side of the RD approximately 60 yards east of the unnamed tributary (driveway of the lift station).
DSCN	1742	South	The outlet of the stormwater inlet shown in 1741 above. Notice the amount of sediment flow through the pipe and flowing south off site.
DSCN	1743	South	Sediment from the outlet pipe shown in 1742 leaving the site onto the grassy area off site. Sediment was visible approximately 10 feet off site.
DSCN	1744	South	Sediment from the outlet pipe shown in 1742 leaving the site onto the grassy area off site. Sediment was visible approximately 10 feet off site.
DSCN	1745	West	City project connecting one inch copper water line to the lift station. The green hose is connected to a water pump to pump the water from the trench. The end of the hose discharges off site as shown in 1747 and 1748 below.
DSCN	1746	South	The pump.
DSCN	1747	South	End of hose discharges off site. There was no discharge during the inspection from the pump.

DSCN	1748	West	Looking back at the pump and the trench.
DSCN	1749	East	Looking back at the pump and the trench.
DSCN	1750	West	Looking west toward Ute Avenue and toward the west end of the project at the top of the hill near the portable toilet. The four sections of the silt fence were installed by GreenTech (SWPPP coordinator) for the City of Waukee who is responsible for the last 280 yards of the roads to Ute Avenue which is covered by a seperated NPDES permit. At the bottom of the hill I observed evidence of significant sediment accumulation which reached the unnamed tributary behind the trees (NOPV#3).
DSCN	1751	North	Permanently seeded steep hill just north of the project and west of the lift station.
DSCN	1752	West	Newly installed stormwater inlet in the north ditch of the road and at the far west end of the project.
DSCN	1753	NW	Disturbed area between the lift station and the seeded hill. Runoff from this area would flow south toward the north ditch of the road and into the stormwater inlet shown in 1752. It appears that the silt fence is installed to prevent sediment from flowing into the lift station.
DSCN	1754	NW	Same area shown in 1753 above.
DSCN	1755	NE	Another unprotected stormwater inlet in the north ditch of the road identical to the one shown in 1713. These stormwater inlets, connected in series, are directed to discharge into the West Basin (smaller basin). This inlet had deficient sediment controls which caused significant sediment to deposit in the West Basin as shown in 1785 below.
DSCN	1756	North	This is the same stormwater inlet described above which is near the fuel tank. Site personnel covered it by the time I walked back to the GOV.
DSCN	1802	East	Looking east from the west end of the project at the top of the hill near the portable toilet (same as 1750 above). At the bottom of the hill, I observed evidence of significant sediment accumulation which reached the unnamed tributary behind the trees (NOPV#3).
DSCN	1803	NE	Closer look toward the fence dams. The silt fence is to protect a water way that flows into the unnamed tributary to sugar creek. This water is created by a culvert pipe that carries water from the north edge of the road.
DSCN	1804	NE	Closer look. Notice the sediment runoff downhill toward the tributary.
DSCN	1805	North	The Culvert pipe discharge described in 1802 above.
DSCN	1806	North	Closer look at the Culvert pipe discharge described in 1802 above closer to the unnamed tributary.
DSCN	1807	North	At the bottom of the waterway. Water discharging into the unnamed tributary.
DSCN	1808	NW	Significant sediment accumulation in the unnamed tributary from runoff from the water way and runoff from top of the hill described in the pictures below caused by the failure of the silt fence dams shown above.
DSCN	1809	NW	Tracing back the sediment from the tributary back up hill toward the silt fence dams.
DSCN	1810	SE	Tracing back the waterway from the tributary back uphill.
DSCN	1811	SE	Tracing back the waterway from the tributary back uphill. Notice amount of sediment accumulation.

DSCN	1812	NW	Looking back toward the tributary while tracing back the waterway from the tributary back uphill.
DSCN	1813	NW	Looking back toward the failed silt fence dams while tracing back the sediment from the tributary back up hill toward the silt fence dams.
DSCN	1814	NW	Looking at sediment accumulation on the hill while tracing back the sediment from the tributary back up hill toward the silt fence dams.
DSCN	1815	South	Sediment accumulation heading to the unnamed tributary downstream from the Culvert pipe discharge described in 1802 above.
DSCN	1816	South	The Culvert pipe discharge described in 1802 above.
DSCN	1817	SE	Looking at sediment accumulation on the hill while tracing back the sediment from the tributary back up hill toward the silt fence dams. There is about 6 inches of sediment accumulation using a stick estimating the size by using a 4.5 inch business card.
DSCN	1818	NW	Looking back toward the failed silt fence dams while tracing back the sediment from the tributary back up hill toward the silt fence dams.
DSCN	1819	NW	Shown sediment passing through the failed silt fence dam.
DSCN	1820	NW	Shown sediment passing through the failed silt fence dam.
DSCN	1821	NE	Looking at the inlet of the culvert pipe in the north ditch of the road. This is the inlet of the culvert pipe (runs north-south beneath the road) described above in 1805 and 1816 which created the waterway that carried sediment into the unnamed tributary. Sediment entering this inlet appeared be a combination of (a) flow from top of the sloped (uphill) north ditch starting at Ute Avenue (under the responsibility of the City), (b) flow from top of the sloped (uphill) south ditch starting at Ute Avenue (also under the responsibility of the City) and directed via a culvert pipe that runs south-north beneath the road to slow the flow via stormwater inlet (shown in 1823, 1825, and 1826 below).
The single-family and Multifamily houses subdivision portion of the Glynn Village Plat 10			
DSCN	1757	North	Between the SE Pleasant View Drive, SE Waddell Way and Baytree Drive. This area is an out lot between houses and acts like a swale that carries surface stormwater south toward Westown road.
DSCN	1758	South	Looking south toward SE Baytree at the swale described in 1757 above that carries surface stormwater south toward Westown road.
DSCN	1759	South	Track out on Baytree Road.
DSCN	1760	South	Stormwater outlet of the swale continuing south
DSCN	1761	South	Erosion controls in the swale.
DSCN	1762	South	Concert washout bag located at the curb of SE Baytree.
DSCN	1763	South	Stormwater inlet at Baytree Drive with deficient controls. The inlet has fabric installed to capture sediment. However, the fabric only cover the metal portion of the inlet.
DSCN	1764	West	Another stormwater inlet with same issue (Waddell Way).
DSCN	1765	West	Stormwater inlet shown in 1764.
DSCN	1766	West	Vehicular track-outs from activities from single home lot builders.
DSCN	1767	South	Vehicular track-outs from activities from single home lot builders on Waddell Way.
DSCN	1768	East	Concrete washout on single home lot.

DSCN	1769	South	Use of Erosion and sediment control
DSCN	1770	south	Continues tracing the swale. The SW inlets are directed to discharge into the sediment basin.
DSCN	1771	East	The SW inlets are directed to discharge into the sediment basin.
DSCN	1772	South	Temporary seeding the single home lots.
DSCN	1773	South	Stormwater inlet.
DSCN	1774	South	Stormwater inlet.
DSCN	1775	South	Stormwater inlet.
DSCN	1776	south	Continues tracing the swale. The SW inlets are directed to discharge into the sediment basin.
DSCN	1777	south	Continues tracing the swale. The SW inlets are directed to discharge into the sediment basin.
DSCN	1778	South	Stormwater inlet.
DSCN	1779	West	Looking at vast common area with temporary seeding and controls.
DSCN	1780	West	Same area in 1779.
DSCN	1781	North	Poor controls around the stormwater inlet. The stormwater inlet discharges into the west basin.
DSCN	1782	West	Concrete washout bag, but improper use of wattles.
DSCN	1783	West	Stormwater inlet and track outs.
DSCN	1784	West.	The west (smaller basin) basin. Significant sediment accumulation in the basin due to lack of controls around SW inlets and lack of maintenance of the basin.
DSCN	1785	NW	The west (smaller basin) basin. Significant sediment accumulation in the basin due to lack of controls around SW inlets and lack of maintenance of the basin.
DSCN	1786	NW	The west (smaller basin) basin. Significant sediment accumulation in the basin due to lack of controls around SW inlets and lack of maintenance of the basin.
DSCN	1787	SE	Looking at the basin from the west along the unnamed tributary.
DSCN	1788	North	Looking at the basin from the west along the unnamed tributary.
DSCN	1789	East	Looking east at the east (large) basin. The basin was full of vegetation due to lack of maintenance.
DSCN	1790	West	Outfall. Discharge of the large basin. The flow would continue west into the unnamed tributary.
DSCN	1791	West	Outfall. Discharge of the large basin. The flow would continue west into the unnamed tributary.
DSCN	1792	East	Heavy vegetation in the large basin and eroded banks due to lack of maintenance.
DSCN	1793	East	Heavy vegetation in the large basin and eroded banks due to lack of maintenance.
DSCN	1794	East	Outlet structure of the large basin.
DSCN	1795	North	Heavy vegetation in the large basin and eroded banks due to lack of maintenance.

NPDES Industrial Storm Water Worksheet (Construction)

National Database Information	
NPDES ID Number	IA-9433-9235
Permit iss/exp dates	~~oct~~ 5-31-2017
Inspection Date	10/12/2016
Weather Conditions? Recent Rainfall? Date? Amount?	Rain during Inspection
Facility Type *(circle one)*	Commercial/ Industrial (Residential) Municipal

General	
Inspector Name	NAJI J. AHMAD
Telephone	
Entry Time	8:35 Am
Exit Time	≈
Signature	

Facility Location Information					
Name/Location Mailing Address	Glynn Village Plat 10 WAUKEE IOWA Hubbell Metropolitan Development Fund I, LLC 6900 Westown Parkway West Des Moines IA 50266				
GPS Coordinates	Latitude		Longitude		
Receiving Water(s)	Tributary to SUGAR CREEK				
Total Area	250 acres	Disturbed area	?? acres	Start Date	2005

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Andrew Hubbell D.O. Manager	
Facility Contact	Nick Newbery Inspetor	
Authorized Official(s)	Nick Newbery - —	

Site Information: *(circle all that apply)*							
Nature of Project	Residential	Commercial/ Industrial	(Roadway)	(Private)	Federal	State/ Municipal	Other
(Construction Stage)	(Clearing/ Grubbing)	(Rough Grading)	(Infrastructure)	(Building Const.)	(Final Grading)	(Final Stabilization)	

Basic Permit Information		
1. Permit Coverage *ESO Element 3 & 4*	(Y)	N
2. Permit Type	(General)	Individual
3. Permit, NOI accessible? *ESO Element 25*	(Y)	N
4. Is entire site owned by one developer/owner? How many owners? Give lot nos. if possible *ESO Element 41*	Yes Hubbell	
5. NOI Date	5/20/2016	

Basic SWPPP Information		
6. SWPPP prepared & available *ESO Element 5 & 30*	(Y) *	N
7. SWPPP Contents Satisfactory	(Y)	N
ESO Elements 5 - 31		
8. SWPPP Implementation Satisfactory *ESO Elements 32 - 46*	Y	(N)
9. SWPPP Date	3-22-2016	

* SWPPP was not on Site.

SWPPP Implementation (*complete in field*)	
General	
10. Site Description	(*include description of areas exposed to rainfall/runoff, drainage patterns & direction of flow*) See SWPPP Basically Building of the SE Westown Parkway. and Single family and Multifamily houses. Since 2005 ≈ 250 ACRS. NOW in 2015-2016 ≈ 97 ACRS
Stabilization Practices	
11. List stabilization practices *ESO Element 43*	(*e.g., seeding, mulching, geotextiles, sod stabilization*) Seeding (geo) Mulching
12. Describe stabilization practices *ESO Elements 42, 43*	(*e.g., properly designed, selected, installed, maintained?*) the area that was seeded looks good ~~Rant~~ they are seeding during my inspection

13. Are stabilization measures initiated no more than 14 days after temporary or permanent construction cessation? (MO:7 days for 3:1 slopes or 3% > 150 ft long) *(ESO Element 46*	*(e.g., indicate "yes" or "no"; if "yes", how long without stabilization measures?)* Some areas are not done. Low area in the borrow area hill But top of is done (green)

Structural Practices

14. List structural controls *ESO Element 43*	*(e.g., silt fences, hay bales, storm drain inlet protection, sedimentation pond, rip rap, check dam, diversion structure, slope drain, drainage swale,)* - Storm drain are installe - 2 ponds - ~~Awdy be no~~ Silt check dams } A lot more IS Needed - drainage swales.
15. Describe structural controls *ESO Elements 42, 43*	*(e.g., properly designed, selected, installed, maintained?) (Size of sediment basin? Disturbed acres drained?)* - SW inlet protection were POOR ~~Missing~~ Need alot of silt fence

Non-Structural Controls

16. Good Housekeeping & Waste Disposal Practices *ESO Element 45*	*(e.g., describe measures taken to prevent litter and debris from becoming a pollutant source)* Yes - NO TRASH Concrete washout are very good.

17. Street Cleaning *ESO Element 44*	*(e.g., describe measures taken to remove offsite accumulation of sediment)* POOR (NOPV)
18. Equipment Wash/ Maintenance Area *ESO Elements 42, 43*	*(e.g., properly designed, selected, installed and maintained?)* NONE observed.
19. Concrete Washout Areas *ESO Elements 42, 43*	*(e.g., properly designed, selected, installed and maintained?* good

Other Controls

20. Off-site Vehicle Tracking *ESO Elements 42, 43*	*(e.g., properly designed, selected, installed and maintained?)* POOR

Miscellaneous

21. Evidence of Sediment Deposition to Surface Waters **ESO Eligibility - if "yes," site not eligible for ESO*	*(provide brief description)* yes @ 3 main location into the Tributary.

22. If dredge/fill material discharged, does site hold 404 permit? *ESO Element 17*	*(provide brief description of measures to prevent discharges of dredge/fill to waters of the U.S. if applicable)* yes.
23. Pollution prevention measures for non-storm water discharges? **ESO Eligibility - If evidence of non-allowable non-storm water discharges, site not eligible for ESO*	*(provide brief description and determine whether/if non-storm water discharges allowable)* NO spills observed. But Saw 4,000 gL. Diesel fuel Tank w/o Containmnt Near SW w/o protectn
24. Notes: SWPPP Implementation	- INSpectn. yes. - Signatures yes But Controls (NONE) SWPPP is kept updated. See attachmnt.

NPDES Industrial Storm Water Worksheet (Construction)

SWPPP Review *(can be completed in office)*

General			Notes:
25. Is there a SWPPP? *ESO Element 5*	(Y)	N	
26. Is a copy of the SWPPP on site or made available? *ESO Element 30*	Y	(N)	~~No~~ - Nick has the site plan (one page) and inspection Form.
27. SWPPP completed prior to NOI submission? *ESO Element 6*	(Y)	N	SWPPP 3-22-2016 NOI 5-20-2016
28. Did all "operators" sign/certify the SWPPP? *ESO Element 31*	(Y)	N	
29. Is SWPPP consistent with state/tribal/local regulations and permits? *ESO Element 26; 29*	(Y)	N	

Site Description			Notes:
30. Is there a site description? *ESO Element 9*	(Y)	N	
31. Nature/sequence of construction activity? *ESO Element 9A - 9B*	(Y)	N	
32. Total area of site and total area to be disturbed? *ESO Element 9C*	(Y)	N	
33. Is there a general location map? *ESO Element 9D*	(Y)	N	
34. Is there a site map? *ESO Element 9E*	(Y)	N	site plans
35. Drainage patterns/outfalls on site map? *ESO Element 9F*	(Y)	N	
36. Area of soil disturbance on site map? *ESO Element 9F*	(Y)	N	
37. Location of major structural controls on site map? *ESO Element 9F, 29*	(Y)	N	
38. Location of storm water discharges to a surface water on site map? *ESO Element 9F*	(Y)	N	
39. Location of materials or equipment storage on site map (on-site or off-site)? *ESO Element 9F*	(Y)	N	

NPDES Industrial Storm Water Worksheet (Construction)

40. Location/description industrial activities? *ESO Element 9G*	(Y)	N	
41. Name of Receiving water(s) or MS4 listed? *ESO Element 9F*	(Y)	N	
42. Copy of permit language? *ESO Element 25*	(Y)	N	
43. Endangered Species Documentation? *ESO Element 23; 23A*	(Y)	N	I did not focus on that
44. Historic Properties Documentation? *ESO Element 24; 24A*	Y	N	

Controls to Reduce Pollutants			Notes:
45. Does the SWPPP describe the sequence of major grading activities, temporary/permanent construction cessation, and initiation of stabilization practices? *ESO Element 14*	(Y)	N	in Plans
46. Does the SWPPP include a description of all pollution control measures (BMPs) that will be implemented to control pollutants in storm water discharges, including sequence of implementation? *ESO Element 10*	(Y)	N	
47. Does the SWPPP include a description of interim and permanent *stabilization practices* (e.g., seeding, mulching, riprap for the site)? *ESO Element 11; 12*	(Y)	N	in Certificate
48. Does the SWPPP identify the sequence and timing by which *stabilization practices* will be implemented? *ESO Element 10A - 10B; 13*	(Y)	N	
49. Does the SWPPP include a description of *structural practices* (e.g., off-site vehicle tracking, silt fences, dikes, sediment traps, storm drain inlet protection) for the site? *ESO Element 15*	(Y)	N	
50. Does the SWPPP identify the sequence and timing by which *structural practices* will be implemented? *ESO Element 10A - 10B*	(Y)	N	
51. Where the *structural practice* attainable is a sediment basin that drains over 10 acres, is it adequately designed? (3,600 cu.ft/acre x total drainage acres or 2year/24 hour storm) *ESO Element 47*	(Y)	N	

NPDES Industrial Storm Water Worksheet (Construction)

52. Do areas less than 10 acres (i.e. those w.o. sediment basins) have sediment controls for down slope boundaries? *ESO Element 48*	(Y)	N	
53. Does the SWPPP describe controls for pollutants from non-construction activities? *ESO Element 20*	(Y)	N	
54. Does the SWPPP identify off-site material storage areas? *ESO Element 9F*	Y	N	
55. Does the SWPPP identify potential sources of pollution (e.g., portapotties, fuel tanks, staging areas, waste containers, chemical storage, concrete cure, paints, solvents, etc...	-		
56. Does the SWPPP identify storm water management measures to address storm water runoff once the construction is completed (e.g., retention ponds, velocity dissipation controls)? *ESO Element 16*	(Y)	N	Sediment Basin with ben Permt. Pond
57. Does the SWPPP identify non-storm water discharges? *ESO Element 21*	(Y)	N	
58. Does the SWPPP ensure implementation of pollution prevention measures for non-storm water discharges? *ESO Element 22*	(Y)	N	

Inspections			Notes:
59. Inspections performed once every 7 days, and within 24 hours of rain event greater than 0.5 in.? *ESO Element 32*	(Y)	N	(*Attach copies of recent inspection reports.)
60. Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? *ESO Element 28*	(Y)	N	
61. Inspections performed by qualified personnel? *ESO Element 33*	(Y)	N	
62. All disturbed areas and/or used for storage and exposed to rain inspected? *ESO Element 34*	(Y)	N	
63. All pollution control measures inspected to ensure proper operation? *ESO Element 35*	(Y)	N	

NPDES Industrial Storm Water Worksheet (Construction)

64. All discharge locations inspected if accessible, or if not accessible, are nearby downstream locations inspected? *ESO Element 36; 37*	(Y)	N	
65. Entrance/exit inspected for off-site tracking? *ESO Element 38*	(Y)	N	??
66. Inspection report contain all required items and certified? *ESO Element 39; 40*	(Y)	N	*(name, date, effectiveness of BMPs, actions taken or necessary, list of areas where LD operations have permanently or temporarily stopped, signature)*
67. Is SWPPP revised when BMPs added/modified within 7 days after inspection reveals problems? *ESO Element 29*	Y	(N)	Not all the Time
68. Has implementation of additional/modified BMPs been completed before next anticipated storm event? *ESO Element 43.C.1*	Y	(N)	Not all the Time
69. NOTES: SWPPP Review			Inspector ~~Not~~ Repeatedly Noted Issues But it Take Several Week to Correct such as sediment on the Road and street sweeping

NPDES Industrial Storm Water Worksheet (Construction)

Receiving Waterbody	
70. Receiving waterbody or MS4:	Yes · Unnamed Tributary To Sugar Creek
71. Distance to recg. waterbody	≈ Some areas 30 yards. Some Ø
72. Other off-site impacts?	
73. Has sediment been removed to reduce off-site impacts? (Attach photos)	NO
74. Sediment observed in stream/lake?	Yes See Pics. (Attach photos)

Photograph Log

(*Attach site map with location and orientation of photos, including lot numbers)

See Below

≈

GLYNN VILLAGE PLAT 10
WAUKEE, IOWA

1-SWNLT#1	11-CLVRT#1	21SWOULT#7**(DSCHRG#3)**	31-East Basin
2- SWNLT#2	12-SWNLT#6	**22-PUMP (DSCHRG#4)**	32-basin OUTFL **(DSCHRG#8)**
3-SWOULT#1	13-SWOULT#5	23-SWINLT# 9	33-ROUND SWNLT #1
4-FUEL TANK	14- CLVRT#2	24-SWOULT# 8	34- ROUND SWNLT #2
5-SWNLT#3	15-SWNLT#7	25-SWNLT#10	35-Borrow Area
6-SWOULT#2	16- SWOULT#6	26-SWOULT#9	36- Seeded hill top
7-SWNLT#4	17-36 inch pipe **(DSCHRG #1)**	**27- DSCHRG #5**	37-erroded area
8-SWOULT#3	18- South Ditch **(DSCHRG #2)**	**28- DSCHRG #6**	
9-SWNLT#5	19-SWNLT# 8	**29- DSCHRG #7**	
10-SWOULT#4	20- SWNLT#9	30-West Basin	

Notice of Potential
National Pollutant Discharge Elimination System (NPDES)
PERMIT VIOLATIONS

Permittee (facility) Name and Address:

Glynn Village Plat 10
Waukee, IA 50263

Hubbell Metropolitan Development Fund I, LLC
6900 Westown Parkway
West Des Moines, IA 50266

NPDES Permit Number: **Iowa NPDES 9433-9235**

During the Clean Water Act §308 compliance inspection conducted on **October 12, 2016**, the potential NPDES permit violations noted below were found. Additional violations may be brought to your attention following a complete review of the inspection report and other available information.

POTENTIAL NPDES PERMIT VIOLATIONS

1. **The permittee failed to install sediment and erosion controls to protect sediment from entering the stormwater inlets at the entire the Westown Pkwy paving project.**

2. **There were evidence of sediment runoff deposits into the unnamed tributary to Sugar Creek caused by stormwater runoff from land disturbance at the Westown Pkwy paving project site**

3. **There were sediment deposits into the unnamed tributary to Sugar Creek at the west project line caused by runoff flowing down the disturbed steep slope passing through the silt fence dams onto the grassy area and into the unnamed tributary.**

4. **The Diesel Fuel tank trailer did not have secondary containment and it was parked few feet from an unprotected stormwater inlet.**

5. **Evidence of significant vehicular track outs on public roads front of every single home construction site at the project.**

6. **Poor sediment controls to protect the street stormwater inlets at the single home development which caused significant sediment to deposit into the two sediment basins.**

7. **Improper maintenance of the site sediment basins: (1) the smaller basin had significant amount of sediment accumulation and (2) the large basin had significant growth of vegetation.**

REQUESTED ACTION: Within ten (10) days, please describe in writing any actions taken, or planned, to correct the potential violations identified above. Your response will be considered in the determination of the need for further administrative or legal action. Mail your description of corrective actions to your inspector at: U.S. Environmental Protection Agency, ENST/EFCB, 300 Minnesota Ave., Kansas City, KS, 66101

Inspector's printed Name: ***Naji J. Ahmad,*** Signature: _____ Date: 10-14-2016

Ahmad, Naji

From: Riesberg, Sarah @ Hubbell Realty <sarah.riesberg@hubbellrealty.com>
Sent: Monday, October 24, 2016 4:02 PM
To: Ahmad, Naji
Cc: Hubbell, Andrew @ Hubbell Realty
Subject: Hubbell Realty Company - Glynn Village Plat 10
Attachments: removed.txt; Hubbell Realty Company - Glynn Village Plat 10 EPA Response.pdf

Hello Mr. Ahmad,

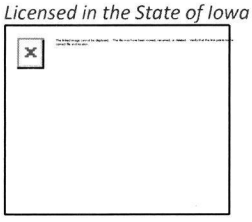
Please see the attached PDF document for Hubbell Realty Company's response to your field review conducted on October 12th, 2016. A hard copy is also being sent to 300 Minnesota Avenue, Kansas City, KS 66101. Please do not hesitate to let me know if you do not receive either or if you would like additional information/resources.

Thank you and have a great day.

Sincerely,

Sarah Riesberg
Project Coordinator, Land Development

HUBBELL REALTY COMPANY
NEW HOME SITE REALTY
6900 Westown Parkway, West Des Moines, IA 50266
O: 515 221 6689 | F: 515 280 2000
sarah.riesberg@hubbellrealty.com
Licensed in the State of Iowa



Ahmad, Naji

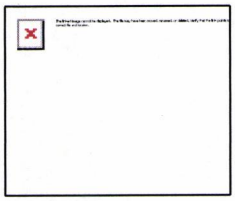
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Thursday, October 20, 2016 9:50 AM
To: Ahmad, Naji
Subject: FW: IDNR NOI - GV10
Attachments: removed.txt; Glynn Village (Plat 10 NOI - NPDES 9433-9235).pdf

See attached.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: Riesberg, Sarah @ Hubbell Realty
Sent: Thursday, October 20, 2016 9:45 AM
To: 'Doug Saltsgaver'
Cc: Hubbell, Andrew @ Hubbell Realty; Newbury, Nick @ Hubbell Realty
Subject: IDNR NOI - GV10

See attached for the NOI for NPDES 9433-9235, signed 5/20/15.

Thanks,

Sarah Riesberg
Project Coordinator, Land Development

HUBBELL REALTY COMPANY
NEW HOME SITE REALTY
6900 Westown Parkway, West Des Moines, IA 50266
O: 515 221 6689 | F: 515 280 2000
sarah.riesberg@hubbellrealty.com
Licensed in the State of Iowa

Ahmad, Naji

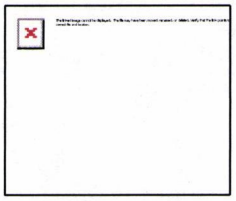
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Monday, October 17, 2016 8:15 AM
To: Ahmad, Naji
Subject: RE: Glynn Village-Westown Pkwy. invoices
Attachments: removed.txt; Construction Plans (86-100).pdf

Final set of plans.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: Ahmad, Naji [mailto:Ahmad.Naji@epa.gov]
Sent: Monday, October 17, 2016 7:38 AM
To: Newbury, Nick @ Hubbell Realty
Subject: RE: Glynn Village-Westown Pkwy. invoices

Thank you

From: Newbury, Nick @ Hubbell Realty [mailto:nick.newbury@hubbellrealty.com]
Sent: Monday, October 17, 2016 7:25 AM
To: Ahmad, Naji <Ahmad.Naji@epa.gov>
Subject: Re: Glynn Village-Westown Pkwy. invoices

I will go to the office and send them to you.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Hubbell Site Inspections
nick.newbury@hubbellrealty.com.
(515) 608-3296

On Oct 17, 2016, at 7:19 AM, Ahmad, Naji <Ahmad.Naji@epa.gov> wrote:

Nick, I still need the complete site plans for PLAT 10.
Thank you,
Naji

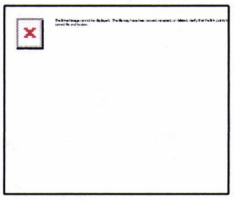
From: Newbury, Nick @ Hubbell Realty [mailto:nick.newbury@hubbellrealty.com]
Sent: Thursday, October 13, 2016 10:59 AM
To: Ahmad, Naji <Ahmad.Naji@epa.gov>
Subject: FW: Glynn Village-Westown Pkwy. invoices

Here are the invoices we received for the westown work along with an additional map that you requested.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: tidysite Services [mailto:tidysiteservices@yahoo.com]
Sent: Thursday, October 13, 2016 9:35 AM
To: Newbury, Nick @ Hubbell Realty
Subject: Glynn Village-Westown Pkwy. invoices

I have attached the Glynn Village Westown Pkwy. invoices you requested. Thank you!

Hollie Davidson
Office Manager

Tidy Site Services, LLC
175 S. 9th St.
West Des Moines, IA 50265
Phone: 515-639-7347
E-Mail: tidysiteservices@yahoo.com

Attachment 8 Page 4 of 18

Ahmad, Naji

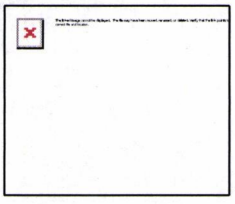
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Monday, October 17, 2016 8:14 AM
To: Ahmad, Naji
Subject: RE: Glynn Village-Westown Pkwy. invoices
Attachments: removed.txt; Construction Plans (1-34).pdf

Naji, attached is the 1st set of drawings.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: Ahmad, Naji [mailto:Ahmad.Naji@epa.gov]
Sent: Monday, October 17, 2016 7:38 AM
To: Newbury, Nick @ Hubbell Realty
Subject: RE: Glynn Village-Westown Pkwy. invoices

Thank you

From: Newbury, Nick @ Hubbell Realty [mailto:nick.newbury@hubbellrealty.com]
Sent: Monday, October 17, 2016 7:25 AM
To: Ahmad, Naji <Ahmad.Naji@epa.gov>
Subject: Re: Glynn Village-Westown Pkwy. invoices

I will go to the office and send them to you.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Hubbell Site Inspections
nick.newbury@hubbellrealty.com.
(515) 608-3296

On Oct 17, 2016, at 7:19 AM, Ahmad, Naji <Ahmad.Naji@epa.gov> wrote:

Nick, I still need the complete site plans for PLAT 10.
Thank you,
Naji

From: Newbury, Nick @ Hubbell Realty [mailto:nick.newbury@hubbellrealty.com]
Sent: Thursday, October 13, 2016 10:59 AM
To: Ahmad, Naji <Ahmad.Naji@epa.gov>
Subject: FW: Glynn Village-Westown Pkwy. invoices

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Development Inspector

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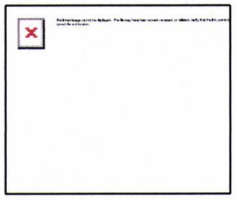
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: tidysite Services [mailto:tidysiteservices@yahoo.com]
Sent: Thursday, October 13, 2016 9:35 AM
To: Newbury, Nick @ Hubbell Realty
Subject: Glynn Village-Westown Pkwy. invoices

I have attached the Glynn Village Westown Pkwy. invoices you requested. Thank you!

Hollie Davidson
Office Manager

Tidy Site Services, LLC
175 S. 9th St.
West Des Moines, IA 50265
Phone: 515-639-7347
E-Mail: tidysiteservices@yahoo.com

Ahmad, Naji

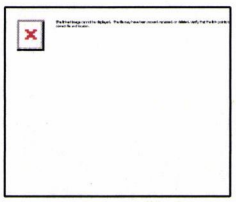
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Monday, October 17, 2016 8:15 AM
To: Ahmad, Naji
Subject: RE: Glynn Village-Westown Pkwy. invoices
Attachments: removed.txt; Construction Plans (60-85).pdf

3rd set.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



From: Ahmad, Naji [mailto:Ahmad.Naji@epa.gov]
Sent: Monday, October 17, 2016 7:38 AM
To: Newbury, Nick @ Hubbell Realty
Subject: RE: Glynn Village-Westown Pkwy. invoices

Thank you

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Subject: Re: Glynn Village-Westown Pkwy. invoices

I will go to the office and send them to you.

Thank you,

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nick.newbury@hubbellrealty.com.
(515) 608-3296

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Development Inspector

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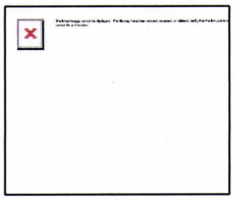

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From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Monday, October 17, 2016 8:14 AM
To: Ahmad, Naji
Subject: RE: Glynn Village-Westown Pkwy. invoices
Attachments: removed.txt; Construction Plans (35-59).pdf

2nd set.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
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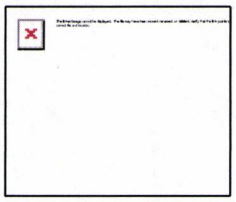

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Development Inspector

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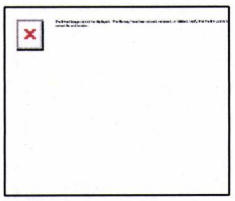
nick.newbury@hubbellrealty.com



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Hollie Davidson
Office Manager

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(515) 608-3296

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> Naji
>
> ---
>
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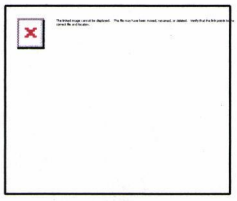
> **Sent:** Thursday, October 13, 2016 10:59 AM
> **To:** Ahmad, Naji <Ahmad.Naji@epa.gov>
> **Subject:** FW: Glynn Village-Westown Pkwy. invoices
>
> Here are the invoices we received for the westown work along with an additional map that you requested.
>
> Thank you,
>
> **Nick Newbury, ICCSPPI, ICICSP3**
> Development Inspector
>
> **HUBBELL SITE INSPECTIONS**
> 6900 Westown Parkway, West Des Moines, IA 50266
> M: 515 608 3296 | F: 515 280 2000
> nick.newbury@hubbellrealty.com
>
> 
>
> ---
>
> **From:** tidysite Services [mailto:tidysiteservices@yahoo.com]
> **Sent:** Thursday, October 13, 2016 9:35 AM

To: Newbury, Nick @ Hubbell Realty
Subject: Glynn Village-Westown Pkwy. invoices

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Hollie Davidson
Office Manager

Tidy Site Services, LLC
175 S. 9th St.
West Des Moines, IA 50265
Phone: 515-639-7347
E-Mail: tidysiteservices@yahoo.com

Ahmad, Naji

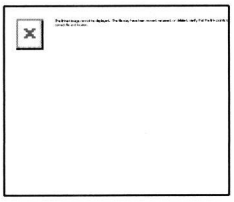
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Thursday, October 13, 2016 10:57 AM
To: Ahmad, Naji
Subject: 2016 reports
Attachments: removed.txt; 2016reports.pdf

Here are the remaining reports from this year

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



Ahmad, Naji

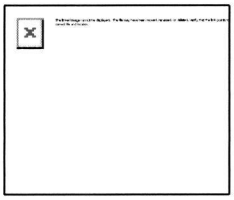
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Thursday, October 13, 2016 10:56 AM
To: Ahmad, Naji
Subject: 2016 reports
Attachments: removed.txt; 2016 reports thru march 11.pdf

Here are 2016 reports thru march 11.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



Ahmad, Naji

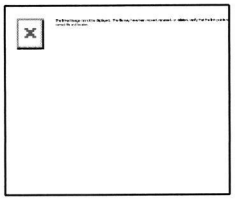
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Thursday, October 13, 2016 10:54 AM
To: Ahmad, Naji
Subject: glynn village reports and additional map
Attachments: removed.txt; 2015reports.pdf

Naji, here are the 2015 reports.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



Ahmad, Naji

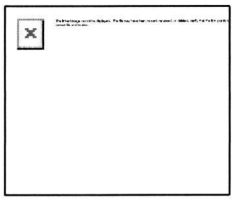
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Wednesday, October 12, 2016 5:21 PM
To: Ahmad, Naji
Subject: swppp3
Attachments: removed.txt; SWPPP3.pdf

Naji, see attached for the third set of swppp documents.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



Ahmad, Naji

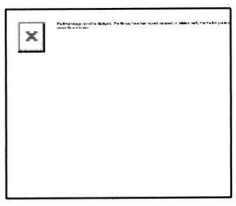
From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Wednesday, October 12, 2016 5:20 PM
To: Ahmad, Naji
Subject: swppp2
Attachments: removed.txt; SWPPP2.pdf; SWPPPmap.pdf

Naji, see attached.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

HUBBELL SITE INSPECTIONS
6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com



Ahmad, Naji

From: Newbury, Nick @ Hubbell Realty <nick.newbury@hubbellrealty.com>
Sent: Wednesday, October 12, 2016 5:17 PM
To: Ahmad, Naji
Subject: Swppp
Attachments: removed.txt; SWPPP1.pdf; Contractor Cert-Glynn Village-Tidy Site Services.pdf

Naji, I believe the file size is too large to send the entire swppp so I will try to send in 3 different emails. Let me know when/where you'd like to meet tomorrow.

Thank you,

Nick Newbury, ICCSPPI, ICICSP3
Development Inspector

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6900 Westown Parkway, West Des Moines, IA 50266
M: 515 608 3296 | F: 515 280 2000
nick.newbury@hubbellrealty.com